



State Court Civil - Pleadings

[Click here to go back](#)

| | |
|--------------------|---------------------------|
| CASE NUMBER | 2015V048757 |
| DESCRIPTION | DAMAGES - PERSONAL INJURY |
| FILING DATE | 4/14/2015 |
| PLAINTIFF 1 | MARQUEZ, NOLA C |
| DEFENDANT 1 | WALMART STORES INC., |

| DATE | DESCRIPTION |
|-----------|--|
| 5/14/2015 | ANSWER OF DEFs; CERT REGARDING DISCOVERY; JURY |
| 5/14/2015 | DEMAND; NOT OF TAKING DEPOSITION OF NOLA MARQUEZ |
| 5/27/2015 | CERT OF SER OF PLT'S RESPONSE TO DEFs 1ST REQ FOR |
| 5/27/2015 | ADMISSIONS |
| 6/15/2015 | CERT OF SER OF DEF'S REQ FOR PRO OF DOC TO VARIOUS |
| 6/15/2015 | PARTIES |
| 7/14/2015 | PLT'S 1ST AMENDMENT TO COMPLAINT |
| 7/20/2015 | ANSWER OF DEFs TO PLT'S AMENDED COMPLAINT |

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IN THE STATE COURT OF HOUSTON COUNTY
STATE OF GEORGIA

NOLA C. MARQUEZ,

Civil Action File No.
15-V-48757

Plaintiff,

v.

WAL-MART STORES, INC. and
WAL-MART STORES EAST, LP.,

Defendants.

/

**ANSWER OF DEFENDANTS
TO PLAINTIFF'S FIRST AMENDMENT TO COMPLAINT**

COME NOW, Defendants WAL-MART STORES, INC. (erroneously named) and WAL-MART STORES EAST, LP. and make this Answer to Plaintiff's Complaint as follows:

FIRST DEFENSE

Wal-Mart Stores, Inc. is not a proper party.

SECOND DEFENSE

Venue is improper as to Wal-Mart Stores, Inc.

THIRD DEFENSE

Jurisdiction is improper as to Wal-Mart Stores, Inc.

FOURTH DEFENSE

Plaintiff's Complaint fails to state a claim against Defendants upon which

IN THE STATE COURT OF HOUSTON COUNTY
STATE OF GEORGIA

| | | |
|---------------------------|---|------------------------------------|
| NOLA C. MARQUEZ, | : | |
| | : | |
| Plaintiff, | : | CIVIL ACTION NO.: 15-V-48757 |
| | : | |
| VS. | : | |
| | : | |
| WAL-MART STORES, INC. and | : | PLAINTIFF'S FIRST AMENDMENT |
| WAL-MART STORES EAST, LP | : | TO COMPLAINT FOR DAMAGES |
| (DELAWARE), | : | |
| | : | |
| Defendants, | : | |
| | : | |

COMES NOW the Plaintiff, Nola C. Marquez, and amends her Complaint by updating previously plead medical expenses and adding additional medical expenses as follows:

1.

Plaintiff Nola C. Marquez incorporates by reference the allegations and demands contained in the original Complaint.

2.

Plaintiff Nola C. Marquez wishes to amend paragraph 15 of her original Complaint by replacing it with paragraph 3 here within.

3.

Plaintiff Nola C. Marquez has incurred the following medical expenses as a direct result of Defendants' negligence:

| | |
|------------------------------------|--------------------|
| Houston Healthcare EMS, Inc. | \$484.10 |
| Houston Medical Center | 10,705.03 |
| Universal Radiology Consultant | 675.00 |
| OrthoGeorgia | 1,403.00 |
| Open MRI of Georgia, LLC | 1,650.00 |
| Leavengood Chiropractic Healthcare | 306.00 |
| <u>Emory Healthcare</u> | <u>19,123.00</u> |
| TOTAL | \$34,346.13 |

WHEREFORE, the Plaintiff demands that this amendment be allowed and that she have such other and further relief as is just.



THOMAS H. HINSON
Ga. State Bar No.: 356850
Attorney for Plaintiff

WESTMORELAND, PATTERSON, MOSELEY & HINSON, LLP
577 Mulberry Street, Suite 550
Fickling Building
Post Office Box 1797
Macon, GA. 31202-1797
Phone: (478) 745-1651
Fax: (478) 745-3208

IN THE STATE COURT OF HOUSTON COUNTY
STATE OF GEORGIA

NOLA C. MARQUEZ,

Civil Action File No.
15-V-48757

Plaintiff,

v.

WAL-MART STORES, INC. and
WAL-MART STORES EAST, LP.,

Defendants.

CERTIFICATE REGARDING DISCOVERY

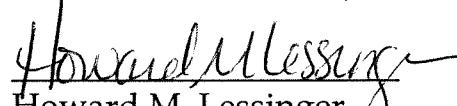
Pursuant to Uniform State Court Rule 5.2, as amended, the undersigned hereby certifies that the following discovery has been served upon all persons identified in the Certificate of Service attached hereto and incorporated herein by reference:

DEFENDANT'S REQUEST FOR PRODUCTION OF DOCUMENTS TO A NON-PARTY:

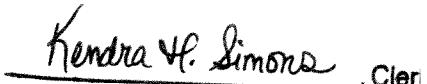
Houston Medical Center (Medical Records)
Houston Medical Center (Billing Records)
Houston Medical Center (Radiology)
Ortho Georgia
Open MRI of Georgia
Leavengood Chiropractic
BlueCross BlueShield of Georgia

FILED IN OFFICE, STATE COURT OF
HOUSTON COUNTY

McLAIN & MERRITT, P.C.


Howard M. Lessinger
Georgia Bar No. 447088
Attorneys for Defendants
WAL-MART STORES, INC.
WAL-MART STORES EAST, LP.

JUN 15 2015


Kendra M. Simons, Clerk

COPY

IN THE STATE COURT OF HOUSTON COUNTY
STATE OF GEORGIA

NOLA C. MARQUEZ,

Civil Action File No.
15-V-48757

Plaintiff,

v.

WAL-MART STORES, INC. and
WAL-MART STORES EAST, LP.,

Defendants.

NOTICE OF TAKING DEPOSITION

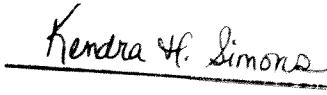
YOU ARE HEREBY notified that beginning on the 20th day of August, 2015, commencing at 12:00 p.m., at the offices of WESTMORELAND, PATTERSON MOSELEY & HINSON, LLP, Fickling Bank Building, 577 Mulberry Street, Suite 550 Macon, Georgia the deposition will be taken of Nola C. Marquez. Said deposition will be taken for purposes of discovery and all other purposes provided by law before an officer duly authorized to administer oaths. The deposition shall continue from day-to-day until completion. This deposition may also be videotaped by a videographer.

McLAIN & MERRITT, P.C.


Howard M. Lessinger
Georgia Bar No. 447088
Attorneys for Defendants

FILED IN OFFICE, STATE COURT OF GEORGIA
Houston County

MAY 14 2015


Kendra H. Simons
Clerk

COPY

IN THE STATE COURT OF HOUSTON COUNTY
STATE OF GEORGIA

NOLA C. MARQUEZ,

Civil Action File No.
15-V-48757

Plaintiff,

v.

WAL-MART STORES, INC. and
WAL-MART STORES EAST, LP.,

Defendants.

12-PERSON JURY DEMAND

COME NOW Defendants, WAL-MART STORES, INC. and WAL-MART STORES EAST, LP. and demand a trial by a jury of twelve (12) persons.

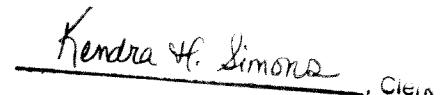
McLAIN & MERRITT, P.C.


Howard M. Lessinger
Georgia Bar Number 447088
Attorney for Defendants
WAL-MART STORES, INC.
WAL-MART STORES EAST, LP.

3445 Peachtree Road, N.E.
Suite 500
Atlanta GA 30326-3240
(404) 365-4514
(404) 364-3138 (fax)
hlessinger@mclain-merritt.com

FILED IN OFFICE, STATE COURT --
HOUSTON COUNTY

MAY 14 2015


Kendra H. Simonds, Clerk

COPY

IN THE STATE COURT OF HOUSTON COUNTY
STATE OF GEORGIA

NOLA C. MARQUEZ,

Civil Action File No.
15-V-48757

Plaintiff,

v.

WAL-MART STORES, INC. and
WAL-MART STORES EAST, LP.,

Defendants.

CERTIFICATE REGARDING DISCOVERY

Pursuant to Uniform State Court Rule 5.2, as amended, the undersigned hereby certifies that the following discovery has been served upon all persons identified in the Certificate of Service attached hereto and incorporated herein by reference:

- 1) Interrogatories and Request For Production of Documents
- 2) Request For Admissions
- 3) Response to Request For Admissions to Wal-Mart Stores, Inc.
- 4) Response to Request For Admissions to Wal-Mart Stores East, LP.

McLAIN & MERRITT, P.C.


Howard M. Lessinger
Georgia Bar No. 447088
Attorneys for Defendants
WAL-MART STORES, INC.
WAL-MART STORES EAST, LP.

FILED IN OFFICE, STATE COURT OF
HOUSTON COUNTY

3445 Peachtree Road, N.E.
Suite 500
Atlanta GA 30326

MAY 14 2015


Kendra W. Monroe, Clerk

IN THE STATE COURT OF HOUSTON COUNTY
STATE OF GEORGIA

NOLA C. MARQUEZ,

Civil Action File No.
15-V-48757

Plaintiff,

v.

WAL-MART STORES, INC. and
WAL-MART STORES EAST, LP.,

Defendants.

ANSWER OF DEFENDANTS

COME NOW, Defendants WAL-MART STORES, INC. (erroneously named) and WAL-MART STORES EAST, LP. and make this Answer to Plaintiff's Complaint as follows:

FIRST DEFENSE

Wal-Mart Stores, Inc. is not a proper party.

SECOND DEFENSE

Venue is improper as to Wal-Mart Stores, Inc.

THIRD DEFENSE

Jurisdiction is improper as to Wal-Mart Stores, Inc.

FOURTH DEFENSE

Plaintiff's Complaint fails to state a claim against Defendants upon which

relief can be granted.

FIFTH DEFENSE

Plaintiff's alleged damages, if any, were directly and proximately caused by Plaintiff's own contributory negligence and failure to exercise ordinary care.

SIXTH DEFENSE

Plaintiff was not in the exercise of ordinary care for her own safety in the premises, and by the exercise of ordinary care could have avoided any injury to herself; and on account thereof, Plaintiff is not entitled to recover from Defendants.

SEVENTH DEFENSE

Defendants deny that they were negligent in any manner whatsoever or that any negligent act or omission on their part caused or contributed to any injury or damage alleged to have been sustained by Plaintiff.

EIGHTH DEFENSE

Defendants respond to the enumerated paragraphs of Plaintiff's Complaint as follows:

1.

Defendants lack sufficient knowledge and information to either admit or deny the allegations contained in paragraph 1 of Plaintiff's Complaint.

2.

Defendants admit the allegations contained in paragraph 2 of the Plaintiff's Complaint.

3.

Defendants admit the allegations contained in paragraph 3 of the Plaintiff's Complaint.

4.

Defendants admit the allegations contained in paragraph 4 of the Plaintiff's Complaint.

5.

Defendants admit the allegations contained in paragraph 5 of the Plaintiff's Complaint.

6.

Defendants deny the allegations contained in paragraph 6 of the Plaintiff's Complaint.

7.

Defendants admit the allegations contained in paragraph 7 of the Plaintiff's Complaint as to Wal-Mart Stores East, LP. Defendants deny the allegations contained in paragraph 7 of the Plaintiff's Complaint as to Wal-Mart Stores, Inc.

8.

Defendants lack sufficient knowledge and information to either admit or deny the allegations contained in paragraph 8 of Plaintiff's Complaint.

9.

Defendants deny the allegations contained in paragraph 9 of the Plaintiff's Complaint.

10.

Defendants lack sufficient knowledge and information to either admit or deny the allegations contained in paragraph 10 of Plaintiff's Complaint, as "in the area" is not defined.

11.

Defendants deny the allegations contained in paragraph 11 of the Plaintiff's Complaint.

12.

Defendants deny the allegations contained in paragraph 12 of the Plaintiff's Complaint.

13.

Defendants deny the allegations contained in paragraph 13 of the Plaintiff's Complaint.

14.

Defendants deny the allegations contained in paragraph 14 of the Plaintiff's Complaint.

15.

Defendants deny the allegations contained in paragraph 15 of the Plaintiff's Complaint.

16.

Defendants deny the allegations contained in paragraph 16 of the Plaintiff's Complaint.

17.

Defendants deny the allegations contained in paragraph 17 of the Plaintiff's Complaint.

18.

Defendants deny the allegations contained in paragraph 18 of the Plaintiff's Complaint.

19.

Defendants deny the allegations contained in paragraph 19 of the Plaintiff's Complaint.

20.

Defendants deny the allegations contained in paragraph 20 of the Plaintiff's Complaint as to Wal-Mart Stores, Inc. Defendant Wal-Mart Stores East, LP. lacks sufficient knowledge and information to either admit or deny the allegations contained in paragraph 20 of Plaintiff's Complaint.

21.

Defendants deny the allegations contained in paragraph 21 of the Plaintiff's Complaint.

22.

Defendants deny the allegations contained in paragraph 22 of the Plaintiff's Complaint.

23.

Defendants deny the allegations contained in paragraph 23 of the Plaintiff's Complaint.

24.

Defendants deny the allegations contained in paragraph 24 of the Plaintiff's Complaint.

25.

Defendants deny the allegations contained in paragraph 25 of the Plaintiff's

Complaint.

26.

Defendants deny the allegations contained in paragraph 26 of the Plaintiff's Complaint.

27.

Defendants deny the allegations contained in paragraph 27 of the Plaintiff's Complaint.

28.

Defendants deny the allegations contained in paragraph 28 of the Plaintiff's Complaint.

29.

Defendants deny the allegations contained in paragraph 29 of the Plaintiff's Complaint.

30.

Defendants deny the allegations contained in paragraph 30 of the Plaintiff's Complaint.

31.

All other allegations contained in the Complaint which are not specifically responded to herein, are, therefore, denied.

32.

Defendants deny Plaintiff's prayer for relief, including all subparts thereof.

WHEREFORE, Defendants pray that Plaintiff's Complaint be dismissed with all costs cast upon the Plaintiff. DEFENDANTS DEMAND TRIAL BY A JURY OF TWELVE (12) PERSONS AS TO ALL ISSUES SO TRIABLE.

McLAIN & MERRITT, P.C.



Howard M. Lessinger
Georgia Bar No. 447088
Attorneys for Defendants
WAL-MART STORES, INC.
WAL-MART STORES EAST, LP.

3445 Peachtree Road, N.E.
Suite 500
Atlanta GA 30326
(404) 365-4514
(404) 364-3138 (fax)
hlessinger@mclain-merritt.com

Civil Action No. 15-V-48757Date Filed APR 14 2015

Civil Court
 Superior Court
 State Court
 Magistrate Court

Georgia, HOUSTON COUNTY
NOLA C. MARQUEZ

SERVICE COPY

Attorney's Address

THOMAS H. HINSON
 Westmoreland, Patterson, Moseley & Hinson, LLP
 577 Mulberry Street, Suite 550
 Fickling Building
 Post Office Box 1797
 Macon, GA. 31202-1797

Plaintiff

VS.

WAL-MART STORES, INC. and WAL-MART STORES
EAST, LP (DELAWARE)

Defendants

Name and Address of Party to be Served

WAL-MART STORES, INC.
C/O CORPORATION PROCESS COMPANY
2180 SATELLITE BLVD, SUITE 400
DULUTH, GA 30097

Garnishee

SHERIFF'S ENTRY OF SERVICE

I have this day served the Garnishee _____ by leaving a copy of the
 within action and summons with _____

I have this day served the defendant, _____ personally with a copy
 of the within action and summons.

I have this day served the defendant _____ by leaving a copy of the action and
 summons at his most notorious place of abode in this County.

Delivered same into hands of _____ described as follows:
 age, about _____ years; weight, about _____ pounds; height, about _____ feet and _____ inches, domiciled at the residence of defendant.

Served the defendant Wal-Mart Stores Inc. a corporation
 by leaving a copy of the within action and summons with Linda Bonales (Key Agent) in charge of
 the office and place of doing business of said Corporation in this County.

I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises
 designated in said affidavit, and on the same day of such posting by depositing a true copy of same in the United States Mail, First Class in
 an envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing
 notice to the defendant(s) to answer said summons at the place stated in the summons.

Diligent search made and defendant
 Not to be found in the jurisdiction of this Court.

This 6 day of May, 2015.

J. Cain (JHAC)
 DEPUTY

SHERIFF DOCKET _____ PAGE _____

WHITE: Clerk

CANARY: Plaintiff Attorney

PINK: Defendant or
 Garnishee

GWINNETT COUNTY, GEORGIA

SERVICE COPY

SUMMONS

SC-85-1

IN THE STATE COURT OF HOUSTON COUNTY
STATE OF GEORGIA

NOLA C. MARQUEZ

CIVIL ACTION
NUMBER

15-V-48757

PLAINTIFF

VS.

WAL-MART STORES, INC. and WAL-MART STORES
EAST, LP (DELAWARE)

DEFENDANTS

SUMMONS

TO THE ABOVE NAMED DEFENDANT: WAL-MART STORES EAST, LP (DELAWARE)

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

THOMAS H. HINSON
Westmoreland, Patterson, Moseley & Hinson, LLP
577 Mulberry Street, Suite 550
Fickling Building
Post Office Box 1797
Macon, GA. 31202-1797

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This day of APR 14 2015.

Clerk of State Court

BY:

Kendra H. Limone

Deputy Clerk

INSTRUCTIONS: Attach addendum sheet for additional parties if needed, make notation on this sheet if addendum sheet is used.

IN THE STATE COURT OF HOUSTON COUNTY
STATE OF GEORGIA

NOLA C. MARQUEZ,

Plaintiff,

CIVIL ACTION NO.:

VS.

WAL-MART STORES, INC. and
WAL-MART STORES EAST, LP
(DELAWARE),

**COMPLAINT FOR DAMAGES -
DEMAND FOR TRIAL BY JURY**

Defendants,

COMES NOW Nola C. Marquez, Plaintiff, and makes and files this complaint against Defendants Wal-Mart Stores, Inc. and Wal-Mart Stores East, LP (Delaware) as follows:

1.

Plaintiff Nola C. Marquez resides in Houston County, Georgia and is subject to the venue and jurisdiction of this Court.

2.

Wal-Mart Stores, Inc. is a foreign corporation existing under the laws of Delaware with its principal place of business in Arkansas.

3.

Wal-Mart Stores, Inc. may be served through its registered agent for service, Corporation Process Company, at 2180 Satellite Boulevard, Suite 400 Duluth, Gwinnett County, Georgia.

4. **FILED IN OFFICE, STATE COURT OF
HOUSTON COUNTY**

Wal-Mart Stores East, LP (Delaware) is a foreign corporation existing under the laws of Delaware with its principal place of business in Arkansas.

APR 14 2015

Kendra W. Simons Clerk

5.

Wal-Mart Stores East, LP (Delaware) may be served through its registered agent for service, Corporation Process Company, at 2180 Satellite Boulevard, Suite 400 Duluth, Gwinnett County, Georgia.

6.

At the time of the incident giving rise to this complaint Wal-Mart Stores, Inc. and Wal-Mart Stores East, LP (Delaware) operated a store known as Walmart Supercenter Store # 1367 (herein after referred to as Walmart Supercenter) located at 2720 Watson Boulevard in Warner Robins, Houston County, Georgia.

7.

Jurisdiction and venue is proper in this Court based upon O.C.G.A. § 14-2-510(b).

8.

On July 17, 2013, Plaintiff Nola C. Marquez visited the Walmart Supercenter on Watson Boulevard in Warner Robins, Houston County, Georgia to make a purchase.

9.

While inside of the Walmart Supercenter, Plaintiff Nola C. Marquez slipped and fell on a clear liquid substance, which was present on the floor in the area between the check-out registers and clothing section.

10.

There were no cones, "wet floor" signs, or other warning devices in the area of the clear liquid at the time of the fall.

11.

The liquid on the Walmart Supercenter floor constituted a dangerous condition that caused Plaintiff Nola C. Marquez to fall and strike the floor.

12.

As a result of Plaintiff Nola C. Marquez's fall, she suffered physical injuries, including but not limited to, her back and knee.

13.

At all times relevant hereto, Plaintiff Nola C. Marquez used ordinary care for her own safety and is free from contributory and/or comparative negligence.

14.

Plaintiff Nola C. Marquez was transported by ambulance to receive emergency medical treatment at the hospital and has required continued medical care.

15.

Plaintiff Nola C. Marquez has incurred the following medical expenses as a direct result of Defendants' negligence:

| | |
|------------------------------------|-----------------|
| Houston Healthcare EMS, Inc. | \$484.10 |
| Houston Medical Center | 9,692.00 |
| Universal Radiology Consultant | 675.00 |
| OrthoGeorgia | 1,403.00 |
| Open MRI of Georgia, LLC | 1,650.00 |
| Leavengood Chiropractic Healthcare | 306.00 |
| TOTAL | \$14,210.10 |

16.

Plaintiff Nola C. Marquez continues to receive medical treatment and incur medical expenses.

17.

Plaintiff Nola C. Marquez was employed at the time of the incident giving rise to this lawsuit. As a result of her injuries, she missed time at her job and has incurred lost wages.

18.

The specific amount of Plaintiff Nola C. Marquez's lost wages will be added to her Complaint by appropriate amendment at a later date.

19.

Plaintiff Nola C. Marquez endured substantial pain and suffering as a result of the Defendants' negligence.

20.

Plaintiff Nola C. Marquez was an invitee on the premises at the time of the fall.

21.

Defendants had exclusive ownership, possession, and control over Walmart Supercenter at all times relevant to this litigation.

22.

Defendants Wal-Mart Stores, Inc. and Wal-Mart Stores East, LP (Delaware) owed a non-delegable duty of reasonable care in keeping the premises safe for invitees such as Plaintiff Nola C. Marquez.

23.

Defendants Wal-Mart Stores, Inc. and Wal-Mart Stores East, LP (Delaware) were negligent in failing to properly inspect the area where the fall occurred, failing to remove the hazard from the floor, failing to take adequate measures to protect invitees from substances on the floor, failing to keep the premises safe for invitees, and were otherwise negligent.

24.

Defendants' negligence was the proximate cause of Plaintiff Nola C. Marquez's economic and non-economic injuries.

25.

At all times relevant to this action, the individuals responsible for inspecting, cleaning and maintaining the area where Plaintiff Nola C. Marquez fell were employed by Defendants and were acting within the scope of their employment.

26.

Defendants Wal-Mart Stores, Inc. and Wal-Mart Stores East, LP (Delaware) are responsible for the conduct of these individuals under the doctrine of *respondeat superior*, agency, or apparent agency.

27.

Defendants Wal-Mart Stores, Inc. and Wal-Mart Stores East, LP (Delaware) were negligent in failing to adopt appropriate policies and procedures to make sure that appropriate inspections, cleaning, and maintenance were performed on the premises and in failing to train their employees concerning safety procedures for inspecting, cleaning, and maintaining the premises.

28.

Defendant Wal-Mart Stores, Inc. and Wal-Mart Stores East, LP (Delaware) were negligent in training and supervising their staff, and were otherwise negligent.

29.

As a direct and proximate result of Defendants' negligence, Plaintiff Nola C. Marquez sustained damages for which compensation is allowed under Georgia Law.

30.

Plaintiff Nola C. Marquez is entitled to recover all economic and non-economic losses sustained as a direct and proximate result of Defendants' negligence.

WHEREFORE, the Plaintiff demands:

- (a) That summons issue under terms of law;
- (b) That all issues be tried before a jury of twelve (12);
- (c) That judgment be entered against the Defendants in an amount to be determined by the jury for all economic and non-economic losses; and,
- (d) That Plaintiff receive all other compensation which is just and appropriate under the circumstances.



THOMAS H. HINSON
Ga. State Bar No.: 356850
Attorney for Plaintiff

WESTMORELAND, PATTERSON, MOSELEY & HINSON, LLP
577 Mulberry Street, Suite 550
Fickling Building
Post Office Box 1797
Macon, GA. 31202-1797
Phone: (478) 745-1651
Fax: (478) 745-3208

SHERIFF'S SERVICE INSTRUCTIONS:

**DEFENDANT WAL-MART STORES, INC. MAY BE SERVED BY SECOND
ORIGINAL BY THE SHERIFF OF GWINNETT COUNTY, GEORGIA IN
CARE OF ITS REGISTERED AGENT FOR SERVICE OF PROCESS, TO WIT:**

**CORPORATION PROCESS COMPANY
2180 SATELLITE BOULEVARD, SUITE 400
DULUTH, GEORGIA 30097**

**DEFENDANT WAL-MART STORES EAST, LP (DELAWARE) MAY BE
SERVED BY SECOND ORIGINAL BY THE SHERIFF OF GWINNETT
COUNTY, GEORGIA IN CARE OF ITS REGISTERED AGENT FOR
SERVICE OF PROCESS, TO WIT:**

**CORPORATION PROCESS COMPANY
2180 SATELLITE BOULEVARD, SUITE 400
DULUTH, GEORGIA 30097**